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**Human Rights Council**
**Twenty-eighth session**
Agenda item 3
**Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development**

**Algeria, Austria,* Belarus,* Bolivia (Plurinational State of),* China, Croatia,* Cuba, Cyprus,* Ecuador,* Ethiopia, Georgia,* Greece,* Italy,* Mexico, Nicaragua,* Pakistan, Peru,* Portugal, Spain,* Sudan,* Syrian Arab Republic*: draft resolution**

## 28/...Mandate of the Special Rapporteur in the field of cultural rights

*The Human Rights Council*,

*Guided* by the purposes and principles of the Charter of the United Nations,

*Recalling* the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the Vienna Declaration and Programme of Action and all other relevant human rights instruments,

*Recalling also* all relevant resolutions of the General Assembly, the Commission on Human Rights and the Human Rights Council, including Assembly resolutions 64/81 of 7 December 2009 and 64/174 of 18 December 2009, and Council resolutions 10/23 of 26 March 2009, 14/9 of 18 June 2010, 17/15 of 17 June 2011, 19/6 of 22 March 2012, 20/11 of 5 July 2012, 23/10 of 13 June 2013 and 25/19 of 28 March 2014,

*Noting* the declarations within the United Nations system on cultural diversity and international cultural cooperation, in particular the Declaration of the Principles of International Cultural Cooperation and the Universal Declaration on Cultural Diversity, adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization in 1966 and 2001, respectively,

*Recalling* Human Rights Council resolutions 5/1, on institution-building of the Council, and 5/2, on the Code of Conduct for Special Procedures Mandate Holders of the Council, of 18 June 2007, and stressing that all mandate holders shall discharge their duties in accordance with those resolutions and annexes thereto,

* Non-member State of the Human Rights Council.

*Welcoming* the increasing number of States parties to the Convention on the Protection and Promotion of the Diversity of Cultural Expressions, adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization on 20 October 2005 and that entered into force on 18 March 2007,

*Convinced* that international cooperation in promoting and encouraging respect for human rights and fundamental freedoms for all should be based on an understanding of the economic, social and cultural specificities of each country and the full realization and recognition of the universality of all human rights and the principles of freedom, justice, equality and non-discrimination,

*Recognizing* that cultural diversity and the pursuit of cultural development by all peoples and nations are a source of mutual enrichment for the cultural life of humankind,

*Determined* to treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis,

1. *Reaffirms* that cultural rights are an integral part of human rights, which are universal, indivisible, interrelated and interdependent;

2. *Recognizes* the right of everyone to take part in cultural life and to enjoy the benefits of scientific progress and its applications;

3. *Reaffirms* that, while the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms;

4. *Recalls* that, as expressed in the Universal Declaration on Cultural Diversity, no one may invoke cultural diversity to infringe upon human rights guaranteed by international law, nor to limit their scope;

5. *Reaffirms* that States have the responsibility to promote and protect cultural rights, and that these rights should be guaranteed for all, without discrimination;

6. *Recognizes* that respect for the cultural diversity and cultural rights of all enhances cultural pluralism, contributing to a wider exchange of knowledge and understanding of cultural heritage and background, advancing the application and enjoyment of human rights throughout the world and fostering stable, friendly relations among peoples and nations worldwide;

7. *Also recognizes* that respect for cultural rights is essential for development, peace and the eradication of poverty, building social cohesion and the promotion of mutual respect, tolerance and understanding between individuals and groups, in all their diversity;

8. *Emphasizes* that the universal promotion and protection of human rights, including cultural rights, and respect for cultural diversity should reinforce each other;

9. *Welcomes* the work and contributions of the Special Rapporteur in the field of cultural rights, and takes note with appreciation of her latest reports submitted to the Human Rights Council;

10. *Decides* to extend, for a period of three years, the mandate of the Special Rapporteur in the field of cultural rights, to enable the mandate holder to continue to work in accordance with the mandate established by the Human Rights Council in its resolution 19/6;

11. *Calls upon* all Governments to cooperate with and assist the Special Rapporteur in the discharge of the mandate, to provide the mandate holder with all the necessary information requested by him or her and to give serious consideration to

responding favourably to the requests of the mandate holder to visit their countries in order to enable him or her to fulfil his or her duties effectively;

12. *Requests* the United High Commissioner for Human Rights to provide all the necessary human and financial resources for the effective fulfilment of the mandate by the Special Rapporteur;

13. *Requests* the Special Rapporteur to report regularly to the Human Rights Council and the General Assembly in accordance with their respective programmes of work;

14. *Decides* to continue its consideration of this matter under the same agenda item in accordance with its programme of work.